



08-18-06

AF 270

Express Mail No. EV475142989US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mueller et al. Confirmation No.: 1828
Serial No.: 09/891,715 Art Unit: 3763
Filed: June 26, 2001 Examiner: Rodriguez, Cris Lorien
For: METHOD AND APPARATUS FOR Attorney Docket No.: 10177-142-999
TREATING ISCHEMIC TISSUE

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

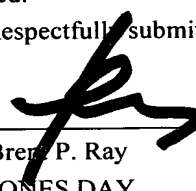
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated February 17, 2006 of the Primary Examiner finally rejecting claims 35-47 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 2 month(s):
☐ was filed on .
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$500.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: August 16, 2006


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(Reg. No.)

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